IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION

CIVIL APPLICATIOON NO. 1077 OF 2007
IN
WRIT PETITION NO.240 OF 1997.

Dr. Vinaykumar Balkrishna Rale ... PETITIONER
V/S.
The University of Pune & Anr. ... RESPONDENT

Mr.Sandip Parikh i/b. Pankaj Rajmachikar for petitioner

CORAM : A.P.DESHPANDE J.
DATE : 8TH JUNE, 2007

P.C.:-

1. In the present Civil Application two prayers are made, one for condonation of delay in filing the Civil Application and the other for setting aside the order passed by this court dated 17.03.2006, dismissing the Writ Petition in default of appearance of Counsel. Reason for absence of the Counsel on the date is that the matter was suddenly listed before the court and came to be dismissed are elaborately stated in the Civil Application and the same stand substantiated by filing affidavit of the Advocate and the Clerk. Having regard to the settled position that the client ought not be made to suffer for the lapses on the part of Advocate, in the interest of justice, I am inclined to allow the application for the reasons stated in the Civil Application. The same is allowed. Writ petition is restored to be file. Application stands disposed of accordingly.

A.P.DESHPANDE J.